UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,495	06/28/2001	Denison W. Bollay	D-1535	8143

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EXAMINER
BOVEJA, NAMRATA

ART UNIT	PAPER NUMBER
3622	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

		Application No.	Applicant(s)
Office Action Summary		09/895,495	BOLLAY, DENISON W.
		Examiner	Art Unit	
		Namrata Boveja	3622	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 28 December 2006.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 2-6 and 8-20 is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 2-6 and 8-20 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on 18 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This Office Action is responsive to the Correspondence dated 12/28/2006.

2.   Claims 1 and 7 have been cancelled. Claims 2-6 and 8-20 are presented

for examination.

3.   Amendments to claims 2, 12, 13, and 16 have been entered and

considered.

Claim Rejections - 35 USC § 101

4.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine,

manufacture, or composition of matter, or any new and useful improvement

thereof, may obtain a patent therefor, subject to the conditions and requirements

of this title.

Claim 2 is rejected under 35 U.S.C. 101, because the claimed invention is

directed to a non-statutory subject matter that is non-functional descriptive

material. Descriptive material that cannot exhibit any functional interrelationship

with the way in which computing processes are performed does not constitute a

statutory process, machine, manufacture or composition of matter. Certain types

of descriptive material, such as a contract, music, literature, art, photographs,

and mere arrangements or compilations of facts or data such as "a per-advertiser

data subset" and "a per-site data subset", are merely stored so as to be read or

outputted by a computer without creating any functional interrelationship, either

as part of the stored data or as part of the computing processes performed by the

computer, where such descriptive material alone does not impart functionality

either to the data as so structured, or to the computer. Such "descriptive

material" including data such as "a per-advertiser data subset" and "a per-site

data subset" is not a process, machine, manufacture, or composition of matter is

therefore non-statutory. *The claimed "data" elements are simply stored*

information. The "data" does not have any imparted functionality, it is therefore

non-statutory material. The Applicant is not even claiming displaying, calculating,

or inputting of the data, which would all be functional steps, but is rather

disclosing storage of mere data, which is by itself, is non-statutory, since it's data

per se and non-functional descriptive material. All that is being said in most of

the claim is that various data is being stored in a server.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived
> by the manner in which the invention was made.

6.   Claims 1-6 and *13-20* are rejected under 35 U.S.C. 103(a) as being

unpatentable over Boyd Patent Number 6,112,238 (hereinafter Boyd) in view of

the Article titled "Computers Maps at Your Fingertips," by Lou Dolinar, published

in Newsday on August 21, 1990 (hereinafter Dolinar), and further in view of Blake

et al Patent Number 5,752,264 (hereinafter Blake).

In reference to claim 2, Boyd teaches for use with the Internet, a system comprising: a communication network; an ad server; an information provider; and, an advertising display server; said ad server, information provider and advertising display server being connected to said communication network (abstract, col. 2 lines 32-38, col. 3 lines 33-41 and lines 62-66, col. 4 lines 34-67, and Figure 1); said ad server having stored therein a visitor's IP address (col. 6 lines 35-36), and other visitor-related information (col. 4 lines 49-col. 5 lines 17 and Figures 3A and 4), said information provider having stored therein a visitor's geographical location (i.e. city and state information) (col. 5 lines 11-17, col. 6 lines 47-62, col. 7 lines 9-28, and Figures 3A and 4). *Boyd also teaches the system wherein said advertising display server has stored therein a site-viewpoint applet and an advertiser-viewpoint applet, each applet capable of processing a data subset to display on a web page as graphs (i.e. comprising of data) according to geographical locations of Internet visitors (col. 5 lines 11-25 and Figures 4 and 5).*

Boyd does not teach the information provider storing the latitude and longitude coordinates of a visitor's geographical location. Dolinar teaches translating address information into coordinates of latitude and longitude (page 1 lines 1-5 and page 2 lines 25-29). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to include the use of latitude and longitude coordinates for indicating a visitor's geographical location to enable the advertisers to determine the precise locations and to establish trends among location data that can be leveraged in business opportunities. For

example, if you have opened up a deli and want to send out a flyer to people living within a 1 mile radius of the deli, you can plot the longitude and latitude coordinates of the deli on a map, and draw a 1 mile circle around it, and then the graphic information system will provide will give you the list of names and addresses within that circle that can be turned into mailing labels.

Boyd also does not teach said advertising display server having stored in two caches, data subsets separated from data collected from said ad server and said information provider, a first of said caches having stored therein a per-advertiser data subset, a second of said caches having stored therein a per-site data subset. Blake teaches storing data in two caches to save time by reducing the access required to the memory bus and to increase storage capacity by reducing redundancy (abstract and col. 3 lines 1-67). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to include the use of two caches for storing per-advertiser and per-site data subsets to enable the quick retrieval of information for the advertiser and the site manager, since they both may desire to view some different and some overlapping data. For example, a website administrator for GEindustrial.com may want to know how many new users signed up on the site and the number of hits received by a banner ad posted on the webpage. On the other hand, the advertiser, in this case a product group owner in GE, may want to know how many hits his banner ad received, which customer segment accessed the advertisement most frequently, how long did the user stay on the site, and how many hits turned into leads as determined by the user filling out an request for

information form. So, the two parties in this case may want to gain access to

some different and some overlapping information about the users, and if that

information is stored in two caches can be accessed quickly and can help reduce

redundancy.

While Boyd teaches to display data and graphs on the web in HTML

format (col. 5 lines 11-25 and Figures 4 and 5), Boyd does not specifically teach

displaying this data and indicia on a map. Dolinar teaches translating address

information into coordinates of latitude and longitude and plotting this information

on a map (page 1 lines 1-5 and page 2 lines 25-29). It would have been obvious

to a person of ordinary skill in the art at the time of the applicant's invention to

plot the geographical information of a visitor's geographical location on a map

and to display it on the web to enable the advertisers to determine the precise

locations and to establish trends among location data that can be leveraged in

business opportunities. For example, if you have opened up a deli and want to

send out a flyer to people living within a 1 mile radius of the deli, you can plot the

longitude and latitude coordinates of the deli on a map, and draw a 1 mile circle

around it, and then the graphic information system will provide will give you the

list of names and addresses within that circle that can be turned into mailing

labels.

7.   In reference to claim 3, Boyd teaches feeding data subsets for display

(col. 5 lines 11-25). Boyd does not teach selectively feeding data subsets from

two different caches. Blake teaches storing data in two caches to save time by

reducing the access required to the memory bus and to increase storage

capacity by reducing redundancy (abstract and col. 3 lines 1-67). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to include the use of two caches for storing per-advertiser and per-site data subsets to enable the quick retrieval of information for the advertiser and the site manager, since they both may desire to view some different and some overlapping data. For example, a website administrator for GEindustrial.com may want to know how many new users signed up on the site and the number of hits received by a banner ad posted on the webpage. On the other hand, the advertiser, in this case a product group owner in GE, may want to know how many hits his banner ad received, which customer segment accessed the advertisement most frequently, how long did the user stay on the site, and how many hits turned into leads as determined by the user filling out an request for information form. So, the two parties in this case may want to gain access to some different and some overlapping information about the users, and if that information is stored in two caches can be accessed quickly and can help reduce redundancy.

8.   In reference to claim 4, Boyd teaches feeding data for the purpose of graphing the data (col. 5 lines 11-25). Boyd does not specifically teach including a mapping component in the fed data that displays each visitor's location on a map by plotting indicia at latitude/longitude coordinates on the map. Dolinar teaches translating address information into coordinates of latitude and longitude and plotting this information on a map (page 1 lines 1-5 and page 2 lines 25-29). It would have been obvious to a person of ordinary skill in the art at the time of

the applicant's invention to plot the geographical information of a visitor's

geographical location on a map to enable the advertisers to determine the

precise locations and to establish trends among location data that can be

leveraged in business opportunities. For example, if you have opened up a deli

and want to send out a flyer to people living within a 1 mile radius of the deli, you

can plot the longitude and latitude coordinates of the deli on a map, and draw a 1

mile circle around it, and then the graphic information system will provide will give

you the list of names and addresses within that circle that can be turned into

mailing labels.

9.   In reference to claims 5, 14, and 17, Boyd does not teach the system

wherein a visual characteristic of an indicium is changed in proportion to the

number of Internet visitors from the same geographical location. Dolinar teaches

translating address information into coordinates of latitude and longitude and

plotting this information on a map (page 1 lines 1-5 and page 2 lines 25-29). It is

inherent in Dolinar that a visual characteristic of an indicium (i.e. a dot on the

map in this case) is changed in proportion to the number of Internet visitors,

since an additional dot will be plotted for each additional visitor where the dots

can overlap if the visitors are from the same geographical location. It would have

been obvious to a person of ordinary skill in the art at the time of the applicant's

invention to plot the geographical information of a visitor's geographical location

on a map and to change characteristic of an indicium in proportion to the number

of Internet visitors from the same geographical location to enable the advertisers

to determine the precise locations and to establish trends among location data

that can be leveraged in business opportunities. For example, if you have

opened up a deli and want to send out a flyer to people living within a 1 mile

radius of the deli, you can plot the longitude and latitude coordinates of the deli

on a map, and draw a 1 mile circle around it, and then the graphic information

system will provide will give you the list of names and addresses within that circle

that can be turned into mailing labels and these people may be indicated by

overlapping dots on the map to show that they live very close to each other (i.e.

in a 1 mile radius).

10.   In reference to claims 6, 15, and 18, Boyd does not teach the system

wherein, said indicium is a spot on the map that varies in at least one of color,

size and intensity. Dolinar teaches translating address information into

coordinates of latitude and longitude and plotting this information on a map (page

1 lines 1-5 and page 2 lines 25-29) and drawing a circle on the map (i.e. a spot

on the map) to show a 1-mile radius (page 2 lines 30-33). It is inherent in Dolinar

that a circle drawn to indicate a 1-mile radius would be smaller than a circle

drawn to indicate a 2-mile radius. It would have been obvious to a person of

ordinary skill in the art at the time of the applicant's invention to plot the

geographical information of a visitor's geographical location on a map and to use

an indicium of variable size to enable the advertisers to determine the precise

locations and to establish trends among location data that can be leveraged in

business opportunities. For example, if you have opened up a deli and want to

send out a flyer to people living within a 1 mile radius of the deli, you can plot the

longitude and latitude coordinates of the deli on a map, and draw a 1 mile circle

around it, and then the graphic information system will provide will give you the list of names and addresses within that circle that can be turned into mailing labels, and if you draw a 2 mile radius, the circle will appear larger on your screen and will probably include a larger list of names and addresses.

11.   *Claims 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyd Patent Number 6,112,238 (hereinafter Boyd) in view of the Article titled "Computers Maps at Your Fingertips," by Lou Dolinar, published in Newsday on August 21, 1990 (hereinafter Dolinar), further in view of Blake et al Patent Number 5,752,264 (hereinafter Blake), and further in view of Official Notice.*

In reference to claim 8, Boyd teaches a method of processing information by computer over the Internet comprising steps of: a) storing collected data which includes a visitor's IP address (col. 6 lines 35-36), and other visitor-related information (col. 4 lines 49-col. 5 lines 17 and Figures 3A and 4), said information provider having stored therein a visitor's geographical location (i.e. city and state information) (col. 5 lines 11-17, col. 6 lines 47-62, col. 7 lines 9-28, and Figures 3A and 4).

Boyd does not teach the information provider storing the latitude and longitude coordinates of a visitor's geographical location. Dolinar teaches translating address information into coordinates of latitude and longitude (page 1 lines 1-5 and page 2 lines 25-29). It would have been obvious to a person of ·ordinary skill in the art at the time of the applicant's invention to include the use of latitude and longitude coordinates for indicating a visitor's geographical location

to enable the advertisers to determine the precise locations and to establish trends among location data that can be leveraged in business opportunities. For example, if you have opened up a deli and want to send out a flyer to people living within a 1 mile radius of the deli, you can plot the longitude and latitude coordinates of the deli on a map, and draw a 1 mile circle around it, and then the graphic information system will provide will give you the list of names and addresses within that circle that can be turned into mailing labels.

Boyd also does not teach b) and d), separating said collected data into two subsets, a per-advertiser data subset, and a per-site data subset and selectively feeding said per-site data subset to said site-viewpoint applet and said per-advertiser data subset to said advertiser-viewpoint applet. Official Notice is taken that it is well known to separate collect data in two subsets such as per-advertiser and per-site data and to view this data separately on web pages with the use of applets to enable the quick retrieval and display of information for the advertiser and the site manager, since they both may desire to view some different and some overlapping data. It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the step for separating the data into two subsets and to view this data separately on web pages with the use of applets to help the two interested parties access the data quickly and to enable the two parties to gain access to slightly different data. For example, a website administrator for GEindustrial.com may want to know how many new users signed up on the site and the number of hits received by a banner ad posted on the webpage. On the other hand, the advertiser, in this

case a product group owner in GE, may want to know how many hits his banner ad received, which customer segment accessed the advertisement most frequently, how long did the user stay on the site, and how many hits turned into leads as determined by the user filling out an request for information form. So, the two parties in this case may want to gain access to some different and some overlapping information about the users and may want to view this data graphically, and if that information is stored in two data sets, it can be accessed and displayed quickly.

Boyd teaches c) transferring to either a web page on said internet or a server, a site-viewpoint applet and an advertiser-viewpoint applet, each applet capable of processing a data subset to display, on a web page as graphs according to geographical locations of Internet visitors (col. 5 lines 11-25 and Figures 4 and 5). *While Boyd teaches to display data and graphs on the web in HTML format (col. 5 lines 11-25 and Figures 4 and 5),* Boyd does not specifically teach displaying the data and indicia on a map. Dolinar teaches translating address information into coordinates of latitude and longitude and plotting this information on a map (page 1 lines 1-5 and page 2 lines 25-29). It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to plot the geographical information of a visitor's geographical location on a map *and to display it on a webpage,* to enable the advertisers to determine the precise locations and to establish trends among location data that can be leveraged in business opportunities. For example, if you have opened up a deli and want to send out a flyer to people living within a 1 mile radius of the deli, you

can plot the longitude and latitude coordinates of the deli on a map, and draw a 1

mile circle around it, and then the graphic information system will provide will give

you the list of names and addresses within that circle that can be turned into

mailing labels.

12.   In reference to claim 9, Boyd teaches feeding data for the purpose of

graphing the data (col. 5 lines 11-25). Boyd does not specifically teach including

a mapping component in the fed data that displays each visitor's location on a

map by plotting indicia at latitude/longitude coordinates on the map. Dolinar

teaches translating address information into coordinates of latitude and longitude

and plotting this information on a map (page 1 lines 1-5 and page 2 lines 25-29).

It would have been obvious to a person of ordinary skill in the art at the time of

the applicant's invention to plot the geographical information of a visitor's

geographical location on a map to enable the advertisers to determine the

precise locations and to establish trends among location data that can be

leveraged in business opportunities. For example, if you have opened up a deli

and want to send out a flyer to people living within a 1 mile radius of the deli, you

can plot the longitude and latitude coordinates of the deli on a map, and draw a 1

mile circle around it, and then the graphic information system will provide will give

you the list of names and addresses within that circle that can be turned into

mailing labels.

13.   In reference to claim 10, Boyd does not teach the system wherein a visual

characteristic of an indicium is changed in proportion to the number of Internet

visitors from the same geographical location. Dolinar teaches translating

address information into coordinates of latitude and longitude and plotting this

information on a map (page 1 lines 1-5 and page 2 lines 25-29). It is inherent in

Dolinar that a visual characteristic of an indicium (i.e. a dot on the map in this

case) is changed in proportion to the number of Internet visitors, since an

additional dot will be plotted for each additional visitor where the dots can overlap

if the visitors are from the same geographical location. It would have been

obvious to a person of ordinary skill in the art at the time of the applicant's

invention to plot the geographical information of a visitor's geographical location

on a map and to change characteristic of an indicium in proportion to the number

of Internet visitors from the same geographical location to enable the advertisers

to determine the precise locations and to establish trends among location data

that can be leveraged in business opportunities. For example, if you have

opened up a deli and want to send out a flyer to people living within a 1 mile

radius of the deli, you can plot the longitude and latitude coordinates of the deli

on a map, and draw a 1 mile circle around it, and then the graphic information

system will provide will give you the list of names and addresses within that circle

that can be turned into mailing labels and these people may be indicated by

overlapping dots on the map to show that they live very close to each other (i.e.

in a 1 mile radius).

14.   In reference to claim 11, Boyd does not teach the system wherein, said

indicium is a spot on the map that varies in at least one of color, size and

intensity. Dolinar teaches translating address information into coordinates of

latitude and longitude and plotting this information on a map (page 1 lines 1-5

and page 2 lines 25-29) and drawing a circle on the map (i.e. a spot on the map) to show a 1-mile radius (page 2 lines 30-33). It is inherent in Dolinar that a circle drawn to indicate a 1-mile radius would be smaller than a circle drawn to indicate a 2-mile radius. It would have been obvious to a person of ordinary skill in the art at the time of the applicant's invention to plot the geographical information of a visitor's geographical location on a map and to use an indicium of variable size to enable the advertisers to determine the precise locations and to establish trends among location data that can be leveraged in business opportunities. For example, if you have opened up a deli and want to send out a flyer to people living within a 1 mile radius of the deli, you can plot the longitude and latitude coordinates of the deli on a map, and draw a 1 mile circle around it, and then the graphic information system will provide will give you the list of names and addresses within that circle that can be turned into mailing labels, and if you draw a 2 mile radius, the circle will appear larger on your screen and will probably include a larger list of names and addresses.

15.   In reference to claim 12, Boyd teaches the method wherein said other visitor-related information *consisting of* running totals of performance data (col. 5 lines 11-17, col. 7 lines 9-23, and Figure 4), a price histogram that plots the number of ads served at a given price, and a domain name moving "ticker tape" that displays, in real time, the domain names associated with visitors.

16.   In reference to claim 13, Boyd teaches for use on an Internet private web page accessible to a user, a method comprising steps of: a) receiving user-specific data related to visitors of Internet web sites upon which ads have been

placed on a public web page accessible to Internet Web page visitors, said ads

having been placed in accordance with an ad campaign strategy of an advertiser

(col. 5 lines 11-34, col. 6 lines 47-65, and col. 7 lines 9-23); said user-specific

data *consisting of* ad impressions, IP addresses of visitors (col. 6 lines 35-36),

and geographical data including locations of IP addresses of said visitors (col. 5

lines 11-17, col. 6 lines 47-65, col. 7 lines 9-23, and Figures 4 and 5).

While Boyd teaches to display data and graphs on the web in HTML

format (col. 5 lines 11-25 and Figures 4 and 5 on a private webpage (since the

reports that are developed for a company to show statistical information

regarding its website visitors can be made in HTML format, and are developed

for that company for use in its analysis, since they are not posted publicly to

those outside that company), Boyd does not teach b) plotting indicia representing

ad impressions for a site included in said user-specific data on a map on a said

private web page. Dolinar teaches translating address information into

coordinates of latitude and longitude and plotting this information on a map (page

1 lines 1-5 and page 2 lines 25-29). It would have been obvious to a person of

ordinary skill in the art at the time of the applicant's invention to plot the

geographical information of a visitor's geographical location on a map *and to*

display it on a private webpage to enable the advertisers to determine the precise

locations and to establish trends among location data that can be leveraged in

business opportunities. For example, if you have opened up a deli and want to

send out a flyer to people living within a 1 mile radius of the deli, you can plot the

longitude and latitude coordinates of the deli on a map, and draw a 1 mile circle

around it, and then the graphic information system will provide will give you the list of names and addresses within that circle that can be turned into mailing labels.

17.   In reference to claim 16, Boyd teaches a method comprising the steps of: a) receiving enhanced data related to visitors of Internet web sites upon which ads have been placed on a public web page accessible to Internet visitors, said ads having been placed in accordance with an ad campaign strategy of an advertiser (col. 5 lines 11-34, col. 6 lines 47-65, and col. 7 lines 9-23); said enhanced data *consisting* of ad impressions, IP addresses of visitors (col. 6 lines 35-36), and geographical data including locations of IP addresses of said visitors (col. 5 lines 11-17, col. 6 lines 47-65, col. 7 lines 9-23, and Figures 4 and 5); b) separating said enhanced data into user specific data (i.e. separating the data into different reports) (col. 5 lines 11-25); and, c) transferring said user-specific data and a user-viewpoint applet to a private web page accessible to said user (col. 5 lines 11-25).

While Boyd teaches to display data and graphs on the web in HTML format (col. 5 lines 11-25 and Figures 4 and 5 on a private webpage (since the reports that are developed for a company to show statistical information regarding its website visitors can be made in HTML format, and are developed for that company for use in its analysis, since they are not posted publicly to those outside that company), Boyd does not teach said user-viewpoint applet capable of plotting indicia representing ad impressions for a site included in said user-specific data on a map on said private web page. Dolinar teaches

translating address information into coordinates of latitude and longitude and

plotting this information on a map (page 1 lines 1-5 and page 2 lines 25-29)

viewable on a webpage. It would have been obvious to a person of ordinary skill

in the art at the time of the applicant's invention to plot the geographical

information of a visitor's geographical location on a map *and to display it on a*

private webpage to enable the advertisers to determine the precise locations and

to establish trends among location data that can be leveraged in business

opportunities. For example, if you have opened up a deli and want to send out a

flyer to people living within a 1 mile radius of the deli, you can plot the longitude

and latitude coordinates of the deli on a map, and draw a 1 mile circle around it,

and then the graphic information system will provide will give you the list of

names and addresses within that circle that can be turned into mailing labels.

18.   In reference to claim 19, Boyd teaches the method wherein said user-

specific data are one of a site-specific data or an advertiser-specific data (col. 5

lines 11-17).

19.   In reference to claim 20, Boyd teaches the method wherein said user-

viewpoint applet is one of a site-viewpoint applet or an advertiser-viewpoint

applet (i.e. enables the viewing of user specific data in HTML format) (col. 5 lines

11-25).

Response to Arguments

20.   Applicant's remarks/arguments filed on 12/28/2006 with respect to claims

2-6 and 8-20 are presented for examination and have been fully considered but

are moot in view of the new ground(s) of rejection. Amendments to the claims

have been entered and considered.

21. The previously made rejection under 35 USC § 112 has been removed in view of the amendments that were made by the Applicant.

22. The previously made rejection under 35 USC § 101 has been maintained, since certain types of descriptive material, such as a contract, music, literature, art, photographs, and mere arrangements or compilations of facts or data such as "a per-advertiser data subset" and "a per-site data subset", are merely stored so as to be read or outputted by a computer without creating any functional interrelationship, either as part of the stored data or as part of the computing processes performed by the computer, where such descriptive material alone does not impart functionality either to the data as so structured, or to the computer. Such "descriptive material" including data such as "a per-advertiser data subset" and "a per-site data subset" is not a process, machine, manufacture, or composition of matter is therefore non-statutory. The claimed "data" elements are simply stored information. The "data" does not have any imparted functionality, it is therefore non-statutory material. The Applicant is not even claiming displaying, calculating, or inputting of the data, which would all be functional steps, but is rather disclosing storage of mere data, which is by itself, is non-statutory, since it's data per se and non-functional descriptive material. All that is being done in most of the claim is that data is being stored in a server.

23. In reference to claims 2-6 and 8-12, the Applicant argues that "none of the references disclose or suggest separating data into user-specific data; and using the user-specific data with a user-viewpoint applet in order to plot, on a map on a

private web page, indicia representing Internet visitor's access to ad impression."

With regard to this argument, first of all the element of displaying the map on a

"private web page" is not claimed. All that is claimed is a web page. The Blake

reference teaches separating data (abstract and col. 3 lines 1-67), and it would

have obvious for Boyd to separate the data into user-specific data, since it would

have been obvious to a person of ordinary skill in the art at the time of the

applicant's invention to include the use of two caches for storing per-advertiser

and per-site data subsets to enable the quick retrieval of information for the

advertiser and the site manager, since they both may desire to view some

different and some overlapping data. For example, a website administrator for

GEindustrial.com may want to know how many new users signed up on the site

and the number of hits received by a banner ad posted on the webpage. On the

other hand, the advertiser, in this case a product group owner in GE, may want to

know how many hits his banner ad received, which customer segment accessed

the advertisement most frequently, how long did the user stay on the site, and

how many hits turned into leads as determined by the user filling out an request

for information form. So, the two parties in this case may want to gain access to

some different and some overlapping information about the users, and if that

information is stored in two caches can be accessed quickly and can help reduce

redundancy. In regards to the Applicant argument for displaying data on a map

on a website, Boyd teaches display data and graphs on the web in HTML format

(col. 5 lines 11-25 and Figures 4 and 5), but Boyd does not specifically teach

displaying this data and indicia on a map. Dolinar teaches translating address

information into coordinates of latitude and longitude and plotting this information

on a map (page 1 lines 1-5 and page 2 lines 25-29). It would have been obvious

to a person of ordinary skill in the art at the time of the applicant's invention to

plot the geographical information of a visitor's geographical location on a map

and to display it on the web to enable the advertisers to determine the precise

locations and to establish trends among location data that can be leveraged in

business opportunities. For example, if you have opened up a deli and want to

send out a flyer to people living within a 1 mile radius of the deli, you can plot the

longitude and latitude coordinates of the deli on a map, and draw a 1 mile circle

around it, and then the graphic information system will provide will give you the

list of names and addresses within that circle that can be turned into mailing

labels.

24.   In reference to claims 13-20, with regards to Applicant's argument that the

information be displayed on a private webpage, is disclosed in Boyd (col. 5 lines

17-24), since the reports that are developed for a company to show statistical

information regarding its website visitors can be made in HTML format, and are

developed for that company for use in its analysis, since they are not posted

publicly to those outside that company.

25.   In reference to claims 2-6 and 8-20 and Applicant is making arguments

against the references individually. For example, the Applicant argues that Boyd

not teach displaying data collected on a map on a web page (this was previously

addressed above) and that Boyd does not have the concept of an information

provider and an advertising display server having stored in two caches (this was

previously addressed above as well). The Examiner would like to point out to the

Applicant that one cannot show nonobviousness by attacking references

individually where the rejections are based on combinations of references **(Boyd,**

Dolinar, and Blake). See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA

1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). It is

the combination of these references that addresses the claim limitations, and

therefore, each reference will not teach all the limitations on its own.

26.   With respect of Applicant arguments under Criterion 1, the Applicant

argues that Dolinar does not allow advertisers to monitor in real-time, the

geographical distribution of visitors viewing advertisements on the Internet. Here

is Applicant is arguing real-time monitoring, which was not claimed by the

Applicant.

27.   The Applicant argues that Blake only teaches buffering methods in a multi-

processing system and is not related to the Internet because it does not provide

servers for accessing the Internet. With reference to this argument, first, the

Applicant has not claimed providing the servers for accessing the Internet as a

specific limitation. Secondly, any processing system, or a computer is capable of

connecting to the Internet with a dial up, broadband, satellite, or DSL connection,

and nothing in Blake states that the processing systems that are disclosed

cannot connect to the Internet for some reason. So, it's not clear what the

Applicant is trying to argue regarding Internet connection capabilities of

processing systems.

28.   In response to applicant's argument that the motivation to combine

references must come from the teachings of the prior art, the Examiner

recognizes that obviousness can only be established by combining or modifying

the teachings of the prior art to produce the claimed invention where there is

some teaching, suggestion, or motivation to do so found either in the references

themselves or in the knowledge generally available to one of ordinary skill in the

art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re*

Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case,

obviousness is established by knowledge generally available to one of ordinary

skill in the art as further demonstrated by the Examiner with the user of the

GEIndustrial.com real-life example. Specifically, it would have been obvious to a

person of ordinary skill in the art at the time of the applicant's invention to include

the use of two caches for storing per-advertiser and per-site data subsets to

enable the quick retrieval of information for the advertiser and the site manager,

since they both may desire to view some different and some overlapping data.

For example, a website administrator for GEindustrial.com may want to know

how many new users signed up on the site and the number of hits received by a

banner ad posted on the webpage. On the other hand, the advertiser, in this

case a product group owner in GE, may want to know how many hits his banner

ad received, which customer segment accessed the advertisement most

frequently, how long did the user stay on the site, and how many hits turned into

leads as determined by the user filling out an request for information form. So,

the two parties in this case may want to gain access to some different and some

overlapping information about the users, and if that information is stored in two

caches can be accessed quickly and can help reduce redundancy.

29.   With respect to the Applicant's arguments for Criterion 2, the Applicant

argues that there is no reasonable expectation of success in combining the

references in the manner suggested by the Examiner, since the technologies are

not compatible. The Examiner fails to understand this line of reasoning, since

the technologies are indeed compatible, since they all involve the use of

computers that can connect to the Internet. The Applicant argues that Blake has

no provision for accessing the Internet. With reference to this argument, first, the

Applicant has not claimed providing the servers for accessing the Internet as a

specific limitation. Secondly, any processing system, or a computer is capable of

connecting to the Internet with a dial up, broadband, satellite, or DSL connection,

and nothing in Blake states that the processing systems that are disclosed

cannot connect to the Internet for some reason. So, it's not clear what the

Applicant is trying to argue regarding Internet connection capabilities of

processing systems and regarding compatibility issues.

30.   With respect to Applicant's arguments for Criterion 3, the Applicant argues

that the references do not show the following limitations. The Examiner

respectfully disagrees and has included where these limitations are addressed in

the references in the complete claim rejection in the office action above instead

of pasting the rejections in their entirety again.

31.   The Examiner has added a heading to the previously made rejections for

claims 8-12, since these claims also relied on Official Notice in addition to the

other three references. The Examiner inadvertently failed to include this

appropriate heading in the previous rejection, however this was just an oversight, and the claims were previously rejected in view of Official Notice in the body of the rejection in the previous rejection by the Examiner. The Applicant did not raise this as a concern, but the Examiner has amended the heading in this rejection for clarification purposes.

32.   Applicant's additional remarks are addressed to new limitations in the claims and have been addressed in the rejection necessitated by the amendments.

Conclusion

33.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure include the following.

a)   Mapquest.com printout from the Internet Archives Wayback Machine dated May 10, 2000. Teaches providing maps on a website.

34.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Point of Contact

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Namrata (Pinky) Boveja whose telephone number is 571-272-8105. The examiner can normally be reached on Mon-Fri, 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Eric Stamber can be reached on 571-272-6724. The **Central Fax Number** for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 1866-217-9197 (toll-free).

NB

March 10th, 2007

JOEL ALVAREZ
PRIMARY EXAMINER